

GACETA DE



LA HABANA.

PERIODICO OFICIAL DEL GOBIERNO.

Núm. 114.

Sábado 10 de Mayo de 1856.—San Antonio arz.—Vigilia con abstinencia de carne.—Visita genl. de presos.—Circular en San Felipe.

Pag. 1.

PARTE OFICIAL.

GOBIERNO, CAPITANIA GENERAL,
INTERINTENDENCIA DELEGADA DE HACIENDA
DE LA SIEMPRE FIEL ISLA DE CUBA.

SECRETARIA DE GOBIERNO.

Por el Ministerio de Estado, encargado del despacho de Ultramar, se ha comunicado a este Gobierno Capitanía General por Real orden de 28 de Febrero último, el Real decreto siguiente:

De conformidad con lo expuesto por el Ministro de Estado encargado del despacho de los negocios de Ultramar, y después de haber sido oída la Sala de Indias del Supremo Tribunal de Justicia, vengo en decretar lo siguiente:

Artículo 1.º Corresponde a las autoridades y funcionarios encargados del Gobierno y policía de la Isla de Cuba, imponer las multas y penas de arresto o prisión, para cuya aplicación les faculten respectivamente las leyes, decretos y reglamentos administrativos, dando de Gobernación y ordenanzas de policía urbana y rural que rijan como vigentes, siempre que estén aprobados por el Gobierno Supremo; debiendo en caso contrario atenderse, en cuanto a la cuota de las primeras y duración de los segundos, a lo que en este decreto se dispone.

Art. 2.º Solo el Gobernador Capitan General de la Isla, el Gobernador del Departamento Oriental, y los demas Gobernadores y Tenientes Gobernadores, podrán imponer dichas penas por faltas o infracciones, no previstas en aquellas disposiciones, y cuya represión sea propia de la esfera gubernativa. Los demas funcionarios y agentes se limitarán en estos casos a poner el hecho en conocimiento de los Gobernadores y Tenientes Gobernadores.

Art. 3.º El tanto de la multa a que se refiere el artículo anterior no podrá exceder de 300 pesos si la impusiere el Gobernador Capitan General, 150 el Gobernador del Departamento Oriental, 100 los demas Gobernadores y 50 los Tenientes Gobernadores. Respecto de la pena de arresto o prisión, su duración será de tres meses cuando fuere impuesta por el Gobernador Capitan General, 45 días cuando lo fuere por el Gobernador del Departamento Oriental, un mes cuando por los demas Gobernadores, y 15 días si la impusieren los Tenientes Gobernadores.

Art. 4.º Fuera de los casos en que dichas correcciones se aplicaren por infracciones a los reglamentos, bandos u otras disposiciones de policía, deberá proceder a su ejecución la formación de expediente en que se hagan constar los motivos que hubieren dado origen a la medida.

Art. 5.º Las providencias de multas y arresto, emanadas del Gobernador Capitan General y del Gobernador del Departamento Oriental, serán reclamables ante el primero, las que dictaren los Gobernadores y Tenientes Gobernadores ante una u otra de las primeras autoridades, según correspondan al Departamento occidental o al Oriental, las que procedieren de los capitanes de partido, comisarios y demas agentes, ante aquellos últimos funcionarios. Los interesados conservarán el derecho de la apelación a la Audiencia en los casos, modo y forma que están previstos por las leyes.

Art. 6.º No se admitirá reclamación alguna por imposición de multa, sin que preceda la entrega del pliego o pliegos de papel, equivalentes al importe de la misma. El recurrente no podrá embargarse con motivo de arresto o prisión, ni suspenderse los efectos de la providencia dictada, siempre que el interesado haya hecho uso en tiempo oportuno del derecho que le concede en el artículo anterior.

Art. 7.º La reclamación deberá imponerse ante la autoridad que hubiese dictado la providencia, dentro de los cinco días siguientes a aquel en que se hizo saber al penado, y dirigirse al superior correspondiente. Aquella remitirá la instancia con su informe y expediente en los casos que deba formarse, a la superior en el término de tercero día; y si esto no fuere posible, por residir la última en punto distinto y no permitiendo el estado de las comunicaciones, por el primer correo. La autoridad superior resolverá dentro de los 8 días siguientes al recibo del expediente, y comunicará a la inferior, con devolución del mismo, su resolución para que proceda a su cumplimiento. Este último plazo regirá respecto de las providencias de multa o prisión o arresto, que dictare el Gobernador Capitan General, contándose desde el día de la presentación de la instancia.

Art. 8.º Contra las decisiones finales que sobre dichas quejas recaigan no cabe ulterior reclamación en la esfera gubernativa, pero podrán intentarse los recursos extraordinarios que permitan las leyes.

Art. 9.º Si la autoridad, contra cuya providencia se interpusiere la reclamación, negare o dilatare el dar curso a

esta, incurrirá en una multa, cuyo importe fijará el Gobernador Capitan General después de oír a la Audiencia, si se tratase de un arresto, o en prevención si se tratase de una imposición pecuniaria; todo sin perjuicio de la responsabilidad, a que en cada caso pueda haber lugar, y que se hará efectiva según las leyes. Lo dispuesto en el párrafo anterior no se entiende respecto de las decisiones del Gobernador Capitan General contra las cuales procederán los recursos que las leyes establecen.

Art. 10. El condenado al pago de multa que aparezca insolvente sufrirá la pena de arresto; pero este no podrá pasar de dos meses, si la multa ha sido impuesta por el Gobernador Capitan General, 45 días cuando fuere por el Gobernador del Departamento Oriental, un mes por los demas gobernadores y 15 días si la han impuesto los Tenientes gobernadores.

Art. 11. Las referidas autoridades y funcionarios llevarán un libro foliado y rubricado en todas sus fojas, en el cual registrarán por orden numérico las providencias gubernativas de multa o arresto que dictaren. Estos registros serán firmados por el funcionario respectivo.

Art. 12. El funcionario que omitiere el registro, de que trata el artículo anterior, incurrirá en las penas que señala el 9.º

Art. 13. De toda providencia de arresto se dará al interesado una copia firmada por la autoridad o funcionario que la haya dictado, en la cual se expresará el número y folio del libro en que está registrada.

Art. 14. Se exceptúan de las disposiciones de este decreto las multas que se impongan por contravención a las medidas sanitarias y fiscales, respecto a las cuales se estará a lo que prescriben los reglamentos de dichos ramos. Dado en Palacio a 28 de Febrero de 1856.—Está rubricado de la Real mano.—El Ministro de Estado Juan de Zabala.

En su consecuencia queda sin efecto la disposición sobre el mismo asunto, dictada por este Gobierno Capitanía General en 21 de Diciembre último; debiendo guardarse y cumplirse el anterior Real decreto.—Habana 6 de Mayo de 1856.—José de la Concha.

En el expediente de apelación interpuesta por el Presidente de la Compañía de Caminos de hierro de esta Capital; del cual resulta: que en virtud de reclamación del Coronel primer Comandante del Regimiento de Zaragoza, por no haber hecho aquella Compañía la entrega oportuna de los efectos de dicho Regimiento al cambiar de guarnición, dispuso en 31 de Enero último que dicha Compañía reintegrase la suma que había llevado de mas, y que en lo sucesivo se entendieran comprendidos los efectos de los cuerpos en la expresada rebaja de la mitad de la tarifa, llevándose gratis la parte que correspondiera al equipaje permitido a todo pasajero: que habiendo expuesto la Compañía las razones por las cuales creía perjudiciales a sus derechos ambas resoluciones, no estimó fundadas aquellas, dejando expedito el recurso de apelación, que efectivamente intentó el Presidente de la misma.

Visto el artículo 121 párrafo 2.º de la Real Cédula de 30 de Enero de 1855, que declara procedente la contención administrativa y las resoluciones que recaigan sobre el cumplimiento, inteligencia, rescisión y efectos de los contratos y remates celebrados con la administración, en todos los ramos del Estado, para cualquiera especie de servicio o obra pública.

Considerando que en el caso presente se trata de la inteligencia que debe darse al artículo 12 del pliego de condiciones formado por la Real Junta de Fomento en 6 de Noviembre de 1841 y que sirvió de base para la subasta de dicho ferro-carril; el artículo 5.º de la primera proposición presentada por D. Juan Poe y a nombre de la Sociedad, y modificada posteriormente a consecuencia de la que hizo D. Francisco Ventosa; y lo acordado con los representantes de las respectivas Compañías de de ferro-carriles en la Junta de 30 de Abril de 1854 sobre pago de transporte de los Jefes, oficiales y tropas del Ejército y Armada que se hallen en servicio activo; por cuya razón es llegado el caso del citado artículo, en el párrafo que se expresa.

Oído el Real acuerdo, y de conformidad con su parecer:

Queda admitida en ambos efectos la apelación interpuesta por la Compañía de Caminos de hierro de la Habana; y remítase el expediente al Real Acuerdo para los efectos oportunos.

Habana 8 de Mayo de 1856.—José de la Concha.

AÑO DE 1855.

Estado que manifiesta los ingresos y egresos de los Propios y Arbitrios de esta Isla en el año de 1854 (1)

ISLA DE CUBA.

RAMOS.

NOTAS.

Ingresos.—Ingresos.

Egresos.—Egresos.

Resumen.—Resumen.

Resumen.—Resumen.

Resumen.—Resumen.

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Resumen.—Resumen.

Resumen.—Resumen.

[illegible][illegible][illegible][illegible][illegible]

Recd 30. May. Mr. Wm. W. Brown.
Duplicate - The original was sent out
17th May, via Orleans - No copy of this
despatch appearing in the office.

Confidential.

Consulate Genl of the United States
Havana May 16th 1857.

Hon: Lewis Cass
Secretary of State
of the United States
Washington.

Sir.

I have just obtained information
which I deem of the utmost importance
for our Government. I receive it from
such source as to place its authenticity
beyond doubt.

It is a matter in which
England and France are the co-ad-
jutors, Spain the active and visible
agent, Santa Anna the instrument,
Mexico the scene of operations, and
to cripple our power and check our
influence the moving object.

The implacable displeasure of
Spain toward Mexico is explained,
and the object of the large fleet with
accompanying land force is made

Project of
Engl and Fr
to seize
Spain's
relation
Mexico

object of
the Span
force
destined
Mexico

manifest. The information I have received, and the manner of its conveyance to me is as follows.

Information
in whom
obtained A gentleman of this City of the first intelligence and undoubted probity; and one who has often served our Government by acting as the medium of information, and who has been prompted in his conduct by an ardent desire to see his native Island brought under our institutions, is the person who has furnished me with the details.

Information
obtained
from The gentleman I speak of has a brother in Mexico, a prominent citizen of that republic and an ardent partisan and personal friend of Santa Anna. He transmitted to his brother here by the British mail Steamer that arrived on the 10th, important despatches to Santa Anna with instructions to forward speedily, secretly, and at any cost requisite to expedition. Not knowing where Santa Anna could be found (and doubtless with the further view of obtaining valuable information)

my informant carried the despatches to Santa Anna's agent here who is one of the most prominent merchants of the City, and who unfolded to him the whole scheme.

The agent stated that the Spanish ^{Recital of facts} fleet destined to convey Santa Anna to Mexico was about to sail for this port, and would here receive him; that the two Commissioners sent from Spain had left New York to meet Santa Anna at (I regret that the name of the place escaped the memory of my informant, but he hopes to be able to ascertain it); that he, the merchant, had received a despatch from them, dated on the eve of their departure from New York; that he had had various conferences here with the Captain General; that the Captain General had orders from his Government to do everything in aid of the expedition; that England not only favored and advised the project but assisted with means; and that it was the determination of the three

powers (France, England, and Spain)
to put down the Comfort Government
because of its affinities with us,
and, instead an administration with
Santa Anna at its head, hostile
to United States influence.

It does not suggest the additional
motives to action in this matter
operating upon the Spanish Govern-
ment connected with her national
religion, the affairs of this slave,
because they are doubtless apparent
to your own mind.

I reiterate that I deem
the facts communicated above
perfectly reliable. You will perceive
that the circumstantiality of
the communication, if this were
to be made public, would easily
afford a key to discover the
author. Not only would such
a discovery endanger his person,
but would certainly deprive
him of his office from which
he derives a support for his
family. He is one of the most

learned and intelligent men on the Island, and could not mis-conceive the meaning of facts recited to him. His love of our institutions and his fidelity to his native land as he conceives her interests to be connected with annexation, are made certain by his past actions as well as his exalted character for honesty and integrity. I gave him my most sacred assurance that his disclosures should not result to his injury.

I have taken the liberty with-
out consultation with the Depart-
ment to convey to our Minister
in Mexico the general facts above
set forth without venturing upon the
details.

General
facts, made
known to
U.S. Minist.
in Mexico

I have the honor to be
Sir, with high respect
Your obt. servt

A. T. Blythe

Counsel Genl.

Recd 30. May. W. A. W. A.
No 27.

Confidential.

Consulate Genl of the United States
Havana May 16th 1857

Hon: Lewis Cass
Secretary of State
of the United States
Washington.

Sir.

I have just obtained information which I deem of the utmost importance for our Government. I receive it from such source as to place its authenticity beyond doubt.

It is a matter in which England and France are the coadjutors, Spain the active and visible agent, Santa Anna the instrument, Mexico the scene of operations, and to cripple our power and check our influence the moving object.

The implacable displeasure of Spain toward Mexico is explained, and the object of the large fleet with accompanying land force is made

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Object of
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manifest. The information I have received, and the manner of its conveyance to me is as follows.

Information
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A gentleman of this City, of the first intelligence and undoubted probity, and one who has often served our Government by acting as the medium of information, and who has been prompted in his conduct by an ardent desire to see his native Island brought under our institutions, is the person who has furnished me with the details.

Information
how obtained
by informant

The gentleman I speak of has a brother in Mexico, a prominent citizen of that republic and an ardent partisan and personal friend of Santa Anna. He transmitted to his brother here by the British mail steamer that arrived on the 10th, important despatches to Santa Anna with instructions to forward speedily, secretly, and at any cost requisite to expedition. Not knowing where Santa Anna could be found (and doubtless with the further view of obtaining valuable information)

my informant carried the despatches to Santa Anna's agent here who is one of the most prominent merchants of the City, and who unfolded to him the whole scheme.

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powers (France, England, and Spain)
to put down the Comonfort Government,
because of its affinities with us,
and instal an Administration with
Santa Anna at its head, hostile
to United States influence.

Motives that
may operate
upon Spain

I do not suggest the additional
motives to action in this matter
operating upon the Spanish Govern-
ment, connected with her national
religion, the affairs of this Island &c.
because they are doubtless apparent
to your own mind.

Reliability
of facts related

I reiterate that I deem
the facts communicated above
perfectly reliable. You will perceive
that the circumstantiality of
the communication, if this were
to be made public, would easily
afford a key to discover the
Author. Not only would such
a discovery endanger his person,
but would certainly deprive
him of his office, from which
he derives a support for his
family. He is one of the most

Information
to be kept
Secret

learned and intelligent men on the Island, and could not misconceive the meaning of facts recited to him. His love of our institutions and his fidelity to his native land as he conceives her interests to be connected with annexation, are made certain by his past actions as well as his exalted character for honesty and integrity. I gave him my most sacred assurance that his disclosures should not result to his injury.

I have taken the liberty with-
out consultation with the Depart-
ment to convey to our Minister
in Mexico the general facts above
set forth without venturing upon the
details.

General
facts, made
known to
U.S. Minister
in Mexico

I have the honor to be
Sir, with high respect
Your obt. servt
A. T. Blythe
Consul Genl.

Recd 19 June. Mr Albert
No 29.

R

Consulate General of the United States
Havana June 4th 1857.

Hon: Lewis Cass
Secretary of State
of the United States
Washington
Sir.

B Within the last 30 or 40 days. ^(Importation of Chinese in Cuba)
Several vessels have arrived in this
port with Chinese coolies; one of
them the Ship Waverley of Boston, ^(Arrival of one Am. ship with such emigrants)
H. H. Hayden master, from Swatow,
via St Helena, with 364 emigrants,
or rather laborers for this Island.
The ship is owned by Thaddeus Vi-
chols of Boston & others, and is
the same one on board of which
occurred the awful catastrophe
at Manila, Phillippine Islands.

I beg leave to enclose you here ^{Nº 1}
with some very interesting ^{Information on the advantages & disadvantages of coolie labor as compared with slave labor}
information on the subject
of Chinese laborers, furnished
me by an American citizen,
and highly intelligent planter

N^o 2
Contract of
a Chinese
to come to
Cuba -

N^o 3
Royal Cédula
Regulating
the govern-
ment of
colonists or
free laborers

on the Island, whose experience
on all matters relating to the
planting interest has been very
great, and gives great weight
to his views thereupon. I like
to accompany a translation
of the contract of a Chinese coolie
to come to Cuba - also a printed
copy of the Royal Cédula of
22d March 1854, for the govern-
ment of colonists, or free laborers
imported into the Island. &

I have the honor
to be, Sir,

With high respect

Your obt servt

A. R. Blythe

Council Genl

P.S. The information I now send you, as also
the translation were obtained upon my request
in order that I might reply to
certain interrogatories propounded
to me by a planter in one of
the Southern States, who seems de-
sirous of making the experiment of
coolie labor in the culture of cotton.

U. S. Consulate Genl
Havana June 9th 1837
Ad. H. De la Cueva

21st 22nd
Enclosed
information of Chinese
coolies in Cuba. One
Am. that arrived
with coolies.

Information on the
advantages & disad-
vantages of coolie
labor, and as compared
with negro or slave
labor - contracts
of Chinese & come to
Cuba - Royal Cedula
on the subject of
free laborers in Cuba

Chinese Coolies in Cuba.

B

Two or three Spanish companies obtained from the Government at Madrid grants to import a given number of Chinese as laborers, and though recently the liberty has been made general, the same persons continue to be the channels of introduction.

The contracts are made in China for the term of Eight years, transferable to any one in Cuba. and the transfer (or sale) is made here for a sum covering, 12 $\frac{1}{2}$ advanced to the laborer before sailing, freight, and an ample remuneration for the risks of the business, which profit is greater or less according to the demand for labor, the health & character of the hands, and the time at which the purchaser subscribed. At the commencement of the trade when the availability of this kind of labor was doubted the contractors secured numerous subscriptions to small lots of Chinese at 153 $\frac{1}{2}$ each hand, but the demand became great, and they have

been transferred (or sold) through the year at 238 to 306 + 340¢ each according to their quality. The last cargo was disposed of at 300¢ each by wholesale. Complaints have been heard from the first subscribers that cargoes coming to their contractors were sold to others on the plea that the shipments had been effected out of the regular monsoon season.

Dr Dupierriis, one of the most extensive contractors asserts that he has received an order for 100 Chinese from a gentleman living on the Mississippi river, and that he has no difficulty in the sale but will not undertake to place the coolies in New Orleans from fear of a certain class of the population who might cause excitement in the public &c. He also states that he has had some communication with a gentleman holding a high position in Louisiana, on the subject. The Doctor apprehends no embarrassment

either from this Government or his Associates; but his idea of contracting a cargo deliverable in the States is connected with prices of above \$1000.

There are different types among the Chinese coolies. Some are well and strongly built - some smaller and weak in appearance - but the same variety was noticed among the Africans. Neither one nor the other race arrive here with laborious habits - they suffer alike whilst becoming acclimated. Both are especially subject to bowel diseases and eruptions; and many die - many also become gradually inured to hard labor.

The Chinese are more civilized - they generally know how to read and write; have superior tact and ingenuity for work requiring such. Both the Africans & the Chinese are subject to the mal du pays, and the latter

have been much given to suicide, to such an extent that the Chief Justice of the Superior Court at Havana in his Message of 2^d Jan'y 1856 remarked on the fact in a manner not overlaudatory of the importing scheme. It would seem that a more enlightened and careful conduct on the part of patroons (masters) would produce a better result - in fact it does produce it here.

The Chinese have been heretofore employed to better advantage near the buildings, but as the scarcity of labor has increased they are more generally beginning to work in the fields; and they are, when sufficiently strong, better ploughers. The field labor here from May to September is trying beyond any conception - the laborers being exposed to the hottest weather and pouring rain. Cultivation is not effected with the plough - the grass is either hoed or cut with the

sword (machete). This operation after the long night watches of the grinding season, and immediately following them, added to the dampness in the atmosphere and soil are the causes of dysentery and death.

The Chinese stand on their rights and are particular in not allowing encroachments. For instance, the contract binds them to do work at such times as it is customary by the other laborers on the place where they go; and they have refused to submit to night labor and serious difficulties have sometimes arisen in consequence. They have disgusting habits, and their unnatural loves and jealousies have impelled them to commit suicide, & murder, perhaps also under the influence of opium. It is asserted that the Chinese Government prohibit the exportation of women; also that those of the sex who might come are worthless, and more a burden than a profitable subject of speculation.

Considering the duration of the contracts (8 years only) it is natural to conclude that the difficulty of obtaining for women the same price with the men here is the true reason for not bringing them. | Dr Dupierriis says that it was thro' British interference that a lot of good women ready to embark were prevented from coming on the ground that their exportation would create a commotion or rising when it were known in the interior.

Opium
The Chinese are not provident, and when they receive their monthly wages of 4 $\frac{1}{2}$ they spend it freely in eatables or dress, and drink when they can get it, and also in gaining favor with the negro women. This feature and their unnatural vices make the whole scheme contrary to the moral improvement of the slaves with whom they must of necessity associate.

Among them are occasionally found ingenious mechanics, and their intelligence, capacity to imitate, and tastes are far above the African

recently imported. As a more civilized race, they are less easy to bend their will, but it is believed that stern justice will always be successful with them. In one estate they shewed themselves able counterfeiters by increasing the certificates of their dues until the enormous amount of them excited the attention of the storekeeper entrusted with the payment. C

The frequent intercourse of the English in China does away to a great extent with the obstacle of language. Many of those coming here understand English.

Dr Dupierriis is disposing of his coolies now at about 300¢ and he does not apprehend any objection on the part of this Government to their exportation. They could therefore be bought here and taken to the United States. B

The enclosed original contract with one of the Chinese will further explain the scheme as it now stands. Art. 7th of the obligations of the emigrant

is a renunciation of the privilege
conceded by the law of March 1854,
by which this class of emigrants
are authorized to break their contracts
under certain circumstances.
How far this renunciation and the
one of a similar nature contained
in the next article may be legal, and
how such renunciations of rights
could be enforced where the Executive
Government were not disposed
to support or encourage the importation;
would have to be determined.

But with the milder labor and
management demanded in the cotton
planting, and the superior intelligence
and humanity of American planters
together with a combined attention to
the wants and advantages of the
laborers, and a proper care in
selecting them, coercive measures
may be unnecessary. And
then, what a field of operations
for a few years! Besides the painful
and sickening labors of the dull season
on a sugar estate which have

been detailed, think of five months of grinding night and day with all the hurried and toilsome operations as they are executed in Cuba, and then you can compare with the cotton planting requirements, and decide the success that you can expect.

There is a great advantage to the American application of the system in having at your doors an experiment on which to improve, and a market from whence to be provided at first upon a small scale with chosen men to make the first nucleus of a hopeful nature.

Havana June 1857.

Enclosure with
despatch no 29.
Chinese Customs in
Cuba —

Ch. 1.

Havana June 1857.

Translation-

Contract of a Chinese (Yen Fern in China, aged 20 years, have agreed to and with Don A. R. Ferrán, upon what is expressed in the following stipulations.

1st I bind myself from this moment to embark for Havana in the Island of Cuba upon the vessel that said gentleman may designate.

2nd I likewise bind and subject myself for the term of 8 years to work in said Island of Cuba under the order of Don Rafael R. Torices or of the person to whom he may transfer this contract, for which I do hereby empower him, at all tasks customary there, in the country and in towns, or wheresoever I may be destined to, whether it be in private houses, establishments of any kind of industry or art, or on sugar, tobacco and coffee plantations, farms, pasture grounds, orchards; and at all town and rural labors of any kind or nature or whatsoever.

3d The 8 years of this engagement entered into by me in the foregoing articles, will commence to be reckoned from the eighth day following to that of my arrival at the said port of Havana, provided I shall reach there in good health, and from the eighth day following to that of my leaving the hospital or infirmary, should I be sick or

or unable to work at the time of my landing or disembarkation.
4th The hours in which I am to labor will depend on the nature of the occupation that I shall be set to, and according to the attentions that said labor may require, which remains at the option of the Patron (Master) under whose order I may be placed, provided I am allowed the requisite consecutive hours of rest every 24 hours, and the necessary time besides for dinner and breakfast conformably to the time spent for these purposes by other laborers on wages in that country.

5th Besides the hours of rest in working days, I am not to be set to do on Sundays other tasks, but those necessary to be done on such days according to the nature of the labor that I may be employed in.

6th I likewise bind myself to the order and discipline that may be kept in the establishment, shop, or private house where I may be placed in, and I submit to the system of coercion that may be imposed in the same for want of application & constancy at the tasks, for disobedience of the orders of the Patrons (masters) or their representatives, and for all those offences that are not of sufficient gravity to require the intervention of the law.

7th For no reason or pretext whatsoever, ~~and~~ ^{will} I ~~be able~~, during the 8 years for which I am bound by this contract, ~~to~~ refuse

my services to the Patroon (master) that may take me, nor evade or separate myself from his power, nor even to attempt it for any cause nor by means of any indemnity whatever; and to better signify my will to remain under his authority within the limits that I grant him in this contract, I hereby renounce the right of rescission of contract which is conceded to colonists by art.^s 27th + 28th of the Colonization Ordinances promulgated by Her Majesty the Queen Doña Isabel 2nd, on the 22^d March 1854, and such rights as may be granted to me by any other law or ordinance that may hereafter be published.

8th As to cases of sickness I agree + stipulate that if this should exceed a week my wages shall be suspended and not commence to run again until my restoration to health, or in other words until my health shall permit me to be again of service to my patroon (master) notwithstanding the tenor of articles 43, 44, + 45 of the Regulations aforesaid, for I also give up + renounce the right that they might give me for any other exigency or demand which only by means of long + expensive proceedings could be attained, or declared unjustifiable -

Don A. R. Ferrán on his part engages with me:

1st That from the day on which shall commence the 8 years of my engagement, will

also begin to run my wages at the rate of four dollars per month.

2nd That I am to be allowed as food every day eight ounces of salt meat, and $2\frac{1}{2}$ pounds of sweet potatoes or of other wholesome & nutritious vegetables.

3d That during ~~sickness~~ sickness I am to be furnished in the infirmary the assistance that my ailments may require with the aid, and medicines, and physician that my sickness and preservation demand for the time that may be necessary.

4th That there shall be given to me two suits of clothing, one woollen shirt, and one blanket, annually.

5th My passage to Havana and support on board till my arrival there are to be on account of said gentleman, or of whom it may concern.

6th The same gentleman will advance me the sum of Eight Dollars in gold or silver to meet my preparations for the voyage I am about to undertake.

7th He will also give me four suits of clothing a quilt, and other necessary things, to the value of four dollars, which together with the sum mentioned in the preceding article, make up 12^{fr} which Amt. I will pay in Havana to the order of D.^o Rafael R. Torices, at the rate of 1^{fr} per month to be deducted from my wages by the person to whom ^{the contract} may be transferred, it being understood that no further deduction is to be made, by or for any other reason whatever.

I hereby Declare that I have received
in Cash and in clothing, as expressed
in the last article the sum of twelve
dollars therein mentioned, which I
shall reimburse at Havana in the
manner prescribed in said article.
I Declare that I am also satisfied
with the wages stipulated, tho' I know
and am well aware that the wages
obtained by free laborers and slaves in
the Island of Cuba is much greater,
because I deem this difference com-
pensated with the other advantages
that my Patron is to render me,
and those appearing in this contract.

And in faith that we will mutually
fulfill what is stipulated in this
document, we, the contracting parties,
two of the same tenor at Macao
1st Decr 1856.

(signed) A. B. Ferrán
(Chinaman's type)

(signed) Manoel Ant.º de Souza
Procurator.

Enoch we will
departs no 29.
Copy - translation
of contents of
a Chinese book
to come to Cuba
No 2 -
No date -

Recd 16. June. Mr. Abbott.
N^o 31.

Consulate Genl of the United States
Havana June 9th 1857.

Hon: Lewis Cass
Secretary of State
of the United States
Washington.

Sir.

The Assistant Secretary's
despatch of 11th ult. reached
me only yesterday. the bag contain-
ing it having been taken to New-
Orleans by the Steamer Empire
City; for which mischance, the
Purser, under whose charge it
was, has made an apology.

The statement in the London
Times is incorrect as to the
nationality of the "Cora". This
vessel came in under Peruvian
colors; had a Peruvian patente
or Register, and was the property
of a Peruvian citizen named Robinet,
who is now in this port as Com-
mander of another Peruvian ship

The
"Cora"
a Peruvian
ship

the Architect, of which he is also a part owner. She likewise brought Chinese coolies, made the shortest passage (88 days), and lost only some six of the passengers.

Cora's master
an American

The Cora was under the command of an American named Patterson and after landing the coolies, loaded with sugar &c., and proceeded to New York. The frightful mortality mentioned did unfortunately take place. From information given me by one of the persons interested in that cargo, the mortality was caused by dysentery, and occurred almost wholly between China and the Island of St Helena.

cause of
mortality
on that
trip -

coolies not
brought on
account of
Americans

I am not aware that coolies are brought on account of American citizens. The parties interested here in the traffic, so far as is known, are Spanish subjects. The vessels of all nations that have brought the Chinese were chartered by those Spaniards or their agents.

Spanish
subjects.
the parties
to the traffic

Referring to my despatch
of 4th Inst (No 29)

I have the honor

to remain, Sir,

With great respect

Your obt Servt

A. H. Blythe

Consul General

Recd 16. June. Mr Abbots.

N^o 30

Consulate General of the United States
Havana June 9th 1857.

Hon: Lewis Cass
Secretary of State
of the United States
Washington.

Sir:

I have received today from the Custom House of this port a box, addressed to me from the Department, containing a Coat of Arms for the Consulate General. No letter relating to it or Bill of Lading having reached me, when I was informed by the consignees of the Barre Cornelia from New York that she had brought a box to my address. I had anticipated that it contained the long expected blank books, and blanks, asked of the Department in my Despatch n^o 13, dated 14th February of the present year. I respectfully beg leave

(Coat of
Arms for
Consulate
General
received

Blank Books } to call your attention to that
and Blanks } despatch, and to request that
very much }
needed - } the blanks be sent out with-

out delay. I would at the same time suggest that the other Consulates in the Island be supplied, as they have all applied to me for blanks which I could not furnish them. The expense of preparing them here is very great, and much greater at other places of the Island.

I am anxiously awaiting the receipt of the blanks to be enabled to prepare, and forward my Returns and Accounts in the form prescribed by the Regulations.

I have the honor to be, Sir, very respectfully
Your obt. Servr

A. H. Blythe
Consul Genl

W. S. Connelley Clerk
Shawana 9th June 1887
Chas. R. Dythe, Coroner Clerk
11.0.80

No enclosure.
Received.

Receipt of copy of return
for Connelley Clerk.

Albion Books and
Blankets, much
needed. especially
the latter by Connelley
in the shoe and as well
as the blankets. Clerk
at Shawana —
Returns & accounts
of the latter not rendered
pursuant of them

Per 16. June. W. Abbott. R
ans 16. 32. Referred to Mr. Markham.
same day

Consulate Genl. of the United States
Havana June 10th 1857.

Hon: Lewis Cass
~~Secretary~~ of State
of the United States
(Washington.

Sir:

In obedience to instructions
received from the Department of
State, I presented to His Excellency
the Captain General the evidence
of my appointment to the office
of Consul General for this Island,
as also the directions to the other
American Consuls in Cuba; and
asked to be recognized as Commercial
Agent in charge of the Consulate
General. About a month has
elapsed, and I have received no
answer to my communications.
In the meantime, in addition
to the case referred to me in your
despatch of the 19th March, I
have had submitted for my
action matters of importance

Appoint-
ment as Consul
Genl. & direc-
tions of Dept.
to Consuls
on the Island
presented to
Captain
General.

A month
elapsed
& no reply
received

Matters of
importance
referred by
other Consul-
ates in the
Island

from Trinidad and St. Jago de Cuba.
I of course can take no action
upon any subject originating
outside the limits of this former
consulate, and will have to send back
the cases to their respective juris-
-dictions unless otherwise instructed
by you.

Doubts that
Capt General
can recognize
a Consul
General of
U. States

I do not believe the Captain
General will return a favorable
response to the requests I have made
of him. Indeed I doubt his authority
to allow the privileges asked. It is
a new office, and one to which the
Spanish Government have not been
hitherto favorable. The British
Government have long had a
Consul General here. The French
Government a few years ago
sent out a Consul General
here, who was refused in that
capacity, but upon a demand
being made by his Government
that France should be represented
upon the Island by an officer of
equal grade with the British represent.

-ative it was conceded. I need - {Great
not suggest to you that our {importance
interests upon the Island, Commercial {of Am.
and others, are more important {interests
than all other nations; and in Cuba
that there is a greater necessity
for a national representative here {Necessity
of the highest grade permitted by {for a proper
the law of nations, than at any U. S. Re-
other point. I am convinced if {presentative
we ever obtain a recognition
by the Spanish Government of an
officer of the grade created by
Congress, it will have to be upon
the urgent demand of our Minister
at Madrid.

Allow me to call your attention {Mr. Blythe
to an extraordinary fact, which {has rec. Pro-
from the multiplicity of demands {Exequatur
upon your attention and your late {to appoint-
induction into office, may have ment as
escaped you. Some sixteen Consul at
months ago I was notified by the Havana
Department of my appointment
to this Consulate. In the same
letter I received information that

My Commission had been transmitted
to our Minister at Madrid that he
might upon its presentation apply
for the usual exequatur. Some months
later I came to the post assigned me
expecting to find the recognition of
the Queen of Spain, but was disap-
pointed. To whom is this neglect
attributable? Since that time I

equivocal
position
of Am.
Consul in
Cuba - have held the position of Commer-
cial Agent by the grace of the
Governor General, the very officer
with whom I would necessarily be
thrown in conflict in any controversy
that might arise. If he or his
Government should desire delay
in such controversy, or that the
true issues should not be eliminated
by proper correspondence, he could
at any moment without the propriety
of his conduct being questioned,
deprive me of all official authority.
Surely the importance of the
position here is known by our
Government, and why is it
that their representative is

permitted to continue in office
upon so slight a tenure?

In addition to our immense com-
merce with the Island, we have
at one season of the year more
worthy American citizens stop-
ping here than in any other
foreign nation. On account
of past delicate relations
between the two Governments they
are constantly liable to inter-
ruption.

Large
numbers
of Ameri-
cans stop-
ping on the
Island -
who should
be protected

But in presenting reasons
why we should be properly represent-
ed, I am convinced I am engaged
in a work of supererogation, as
your mind need but be directed
to the matter to see its importance.
It is clearly to the interest of Spain
that this equivocal representation
should be continued as in the
event of a conflict of interests
one side only would be properly
presented.

In the confident belief
that the matters here presented

will receive prompt attention,
I have the honor to remain
Sir, with high respect
Your obt servt
A. K. Pellythe
Consul Genl.

U. S. Consulate Genl
Havanna June 10th 1837
A. K. Pellythe, Consul Genl

No 32

No enclosed.

Recd.

His appointment as Consul Genl
in Cuba is forwarded to Captain
Gent. No reply received -
doubts that the Capt Genl
will return a favorable answer
with many other remarks
pertinent to the subject

Recd 22nd June, W Abbot. 2

N^o 33.

Consulate Genl of the United States
Havana June 13th 1857.

Hon: Lewis Cass
Secretary of State
of the United States.
Washington

Sir.

The ship Stephen Larrabee { Loss
of Bath, Alonso J. Hathorn { of an
master, on her voyage from { Am. ship
Newport (Wales) bound to this
port laden with coal, was
wrecked upon the Mariel reefs
on the 2nd Inst., and abandoned
by her officers and crew, who
were brought here by a Coaster.
their passage paid by the master.
The crew being destitute of means { Crew
have been cared for by this { destitute
Consulate; a portion of the { cared for
crew have found employment { by the
already. and if the rest do not { Consulate
soon have the same good
fortune, I will send them to

Notice sent to the
American Consul at
Havana 25-

the United States at Government's
expense to avoid further
disbursements on their account.

I have the honor

to be, Sir,
very respectfully,
Your obt. servt

A. H. Blythe

Comd'g Genl

U. S. Committee have
plans of Cuba
Havana 13th June 1879.
A. H. Mythe Committee

No 33.

No Enclosure.

Rec?

Let of ship of
Lamarke of Bath.
Arrival of crew
described. even
cases for by the
Committee -

Recd 2nd June Mr Abbott

N^o 34.

Consulate Genl of the United States.

Havana June 13th 1857

Referred to Mr Jefferson for examination

Hon: Lewis Cass

G. J. M.

Secretary of State

same day

of the United States.

Washington.

Sir.

Has our Government either by Act of Congress, or Circular orders, taken any action on the subject of the Chinese or coolie trade? Many intelligent persons with whom I have conversed are under the impression that something has been done prohibitory or at least expressive of disapprobation of the use of our flag in the trade. Upon examination I find nothing in the laws of Congress or the Archives of this Office touching the matter. I would be very much obliged for early information

Coolie trade. What measures has the Am. Govt. adopted against the use of their flag for the trade?

I take the liberty of drawing your particular attention

Diario de la
Marina of
13th June.
leading article
in reference
to labor on
the Island.

to the leading article in the
"Diario de la Marina" of this
date herewith enclosed. It
is as you will see upon the subject
of labor upon this Island, and
is an ingenious tho' somewhat
disguised plea for the introduction
of the African Apprentices system,
and of eventual abolition. It is
doubtless the initiatory article
intended to be followed by more
open advocacy. It is well known
to you that the journals of this
Island are under censorship,
and publish nothing political
disapproved by the Authorities.

The length of the article and the
press of office business prevent me
from sending you a translation
of the article alluded to.

I have the honor to be
Sir, with high respect
Your most obedient
A. K. Blythe
Consul Genl.

U. S. Consulate Genl.
Havana June 13th 1857.
A. H. 14th the Consul Genl.

N^o 34

the Newspaper enclosed,
See?

That measure have the
Gov. ~~written to~~ get
the use of the Am. flag;
in the Chinese or coast;
trade? Information
desired.

Spain delaware
of 18th June - reading
article upon the subject
of labor upon the
means of Cuba -